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1952 **File No.** 906/48

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RHABC **DEPARTMENT**

E.R. Sec No 1.55 **BRANCH** **Class**

Subject:— 57

Karnatak

Rent . Act 1947

amendment to

Copies from file 906/48 XVII

B Class Common

B Def

23/3/53

D.H.

Karnatak

File No. 906/48

Labour and Housing Department,
Bombay Castle, 17th May 1951.

Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

NOTIFICATION.

No.906/48.- In exercise of the powers conferred by Section 15 of the Bombay Rents, Hotel and Lodign House Rates Control Act, 1947 (Bom.LVII of 1947), the Government of Bombay is pleased to amend the Government Notification in the Health and Local Govenment Department, No.5975/33, dated the 12th May 1948, as follows namely:-

In the Schedule to the said Notification, after entry 4, the following new entry shall be added namely:-

"(5)" Assignment of the whole interest of lessees in a building plot where the assignment does not contravene any restrictive conditions of the lease in that regard".

By order of the Governor of Bombay,

Issued.
19-5-51.

Sd/-
Secretary to Government.

Id- 16-5.

To be published in Part I of the Bombay Government Gazette and to be returned with 100 copies of the print.

Sd/- 19.5.51

Assistant Secretary to the Government of Bombay, Labour and Housing Department.

Issued
19-5-51

Id/-
16-5,

sgp/-
18-7

No.R.D.(accounts) Misc.76743/18790-F

Labour & Housing Department.
Bombay Castle, 19th May 1951.

To

Shri Dayabhai V.Patel.
Managing Director,
Akhil Bharat Printers,Ltd.,
381, Tardeao, Bombay 7.

Sub:- Rent Act of 1947
request for sub leasing the plot
land belonging to Akhil Bharat
Printers Ltd., to Hindustan
Newspaper Ltd..

Sir,

With reference to your letter dt.31-3-1951 addressed to Secretary to Government Revenue Deptt. on the above subject, I am directed to forward herewith a copy of G.M. E.& H.D. No.906/48 dt 17-5-1951 for your information.

Yours faithfully,

Sd/-
19-5

For Secy to Govt. of Bombay,
Labour and Housing Department.

Issued.
19-5.

Id/-
17-5

sgp/-
18-7

AKHIL BHARAT PRINTERS LIMITED.

AKHIL BHARAT BHAVAN.

Managing Director
DAHYABHAI V.PATEL.

341, Tardeo, B'Bay 7
21st May 1951.

The Secretary to Government,
Lanour & Housing Department,
Bombay Castle,
Bombay No.1.

Dear Sir,

Subject: Rent Act of 1947
Request for sub-leasing the plot of land belonging to us to the Hindustan Newspapers Ltd.,

I thank you for your letter No.R.D.(accm)Misc. 7643/P-18790-F dated 19th instant forwarding a copy of Government Notification No.906/48 dated 17th idem. While I am grateful to Government for what what has been done I am afraid this has not yet solved my difficulty. If you will be good enough to see the previous correspondence, you will observe that what I had asked for was permission to lease a portion of the property for Building purposes and not the whole which my legal advisers advise me could have been done even without this notification. As stated therein, we have a 999 years' lease transferred to us by Petits and it is proposed to let out a portion of the said property to a Housing or Building Society.

The wording of the new entry reads:-

"Assignment of the whole interest of lessees in a building plot....."

If the words "or part" had been inserted before the words "interest of lessees in a building plot...", it would have solved our difficulties. Would it be possible for Government to revise the entry in the above manner even at this last stage?

An early reply will oblige.

Yours faithfully,
For AKHIL BHARAT PRINTERS LIMITED,

Sd/-
(Dahyabhai V.Patel)
MANAGING DIRECTOR.

sgp/-18-7

Labour and Housing Department.
F.Br.

Please see the foregoing letter from Shri Dayabhai Patel. He states that since he wants to sub-lease a portion of his property, the orders issued in G.N.,L.& H.D.,NO.905/48, dated 17-5-51, will not be of any use to him. He has, therefore, requested Govt. to amend this notification so as to enable him to sub-lease his property.

2. The Govt.Notification,L.& H.D.No.905/48,dated 17-5-51 permits the assignment of whole interest of the lessees in the building plots where the assignment does not contravene any restrictive condition of the lease in that regard. Attention is invited to the Asstt.Secy's note, dated 27-4-51 and Secy's note dated 27-4-51 on p.73 ante and 'A' of the Secy's note,dated 31-1-51 in file No.905/48/49423-kept below which explains why Govt. permitted the assignment of whole interest in the building plots by the lessees and not the assignment of part interest in the plots. It will be seen that the Secy. had held at 'A' of his note, dated 31-1-51 that sub-leases should not be encouraged but we may allow the assignment of whole intrest in the building plots, since it is not proper to compel the lessees to hold the plots if they have no means to effect buildings at present cost.Accordingly, the G.N. mentioned above was issued on the lines suggested by the Secy.

3. The amendment suggested by Shri Dayabhai Patel will, therefore, be in contradiction of the policy adopted by Govt. namely no sub-leasing should be allowed. It is ~~sure~~ true, that Shri Patel will not have the benefit of the G.N.,No.905/48, dated 17-5-51 issued by Govt. However, it does not seem necessary to amend the notification because the interest of a single individual is affected. It is, therefore,

for orders whether the notification in question should be amended as suggested by Shri D.Patel.

4. Please seethe A.S's note, dated 19-5-51. Necessary action will be taken after orders of Govt. are received on the point raised in para. 3 above.

Id/-
24-5

Id/-
26-5

The suggestion seems to be to add "or part of a plot" after the words "building plot". Please examine this; perhaps there is no harm.

Id/-
28-5.

sgp/-
18-7

Labour and Housing Department
F.Br.

Resubmitted with reference to the Secy's note dt.28-5-1951.

2. As suggested by the Secy, there appears to be no harm in allowing the assignment of the whole interest of the lessees in a part of a building plot where assignment does not contravene any restriction conditions of the lease in this regard. The proposed amendment will give impetus to building activities as it is quite likely that may parties will come forward to erect buildings on the the plots of lands taken from the original lessees. If this view is approved, the accompanying notification may issue.

3. A copy of the notification may be forwarded to shri Dayabhai Patel for his information. Action the Asstt. Secry's note dt.19-5-51, will be after the issue of the notification.

Id/-
28-5-51.

Id/- 29-5

(Office should not have wasted the blank space on p.84) As at A & B

A.S.

Id/-
29-5

Secy. Id/-
30-5

H.M.(Housing) Id/-
31-5

sgp/-
18-7

No.R.D.(acom) 7648/P/20725-F

Labour and Housing Department
Bombay Castle, 31st May 1951.

To

Shri Bayabhai V.Patel.
Managing Director
Akhil Bharat Printers Ltd.,
Akhil Bharat Bhavan,
341, Tardeao, Bombay.7

Sub: Rent Act of 1947.
request for sub-leasing of plot of land belonging to Akhil Bharat Printers Ltd., to

Sir,

With reference to the correspondence ending with letter dt 21-5-1951, on the above subject, I am directed to forward herewith a copy of G. N. L.& H.D. No. 906/48 dt 31st May 1950 for information.

Yours faithfully,

For secy to Govt. Of Bombay,
Labour and Housing Department.

Id/-
28-5

sgp/-
18-7

Labour and Housing Department
Bombay Castle 31st May 1951.

Bombay Rents, Hotel Lodging House Rates Control, Act, 1947

NOTIFICATION No.906/48:- In exercise of the powers conferred by Section 15 of the Bombay Rents, Hotel and lodging House Rates Control, Act, 1947(Bomb.LVII of 1947), the Government of Bombay is pleased to amend the Government Notification in the Health and Local Government Department No.5975/33, dated the 12th May, 1948 as follows:-

In the schedule to the said Notification in entry 5, after the words"Assignment of the whole interest of lessees in a building plot", the words" or part of a building plot" shall be added.

By order of the Government of B'bay

Sd/-
Secretary to Government.

Issued
1-6-51.

Id/-
28-5-51

To be published in Part I of the B.G.S. and to be sent with 100 copies of the printed notification.

Id/-

For Secy to Govt. Of Bombay
L.& H.D.

Issued.
1-6

Id/-

28-5

sgp/-
18-7